

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GARY D. STOVALL,

Plaintiff,

v.

MONTGOMERY COUNTY
DETENTION FACILITY, *et al.*,

Defendants.

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CASE NO. 2:06-cv-1073-WKW
(WO)

ORDER

On December 8, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is hereby ORDERED that:

1. The Recommendation (Doc. # 5) is ADOPTED.
2. Plaintiff's claims against the Montgomery County Detention Facility are hereby DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
3. Plaintiff's verbal abuse claim is hereby DISMISSED with prejudice prior to service of process in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
4. This case is referred back to the Magistrate Judge for further proceedings.

Done this the 16th day of January, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE